

1 LATHAM & WATKINS <sup>LLP</sup>  
Daniel M. Wall (Bar No. 102580)  
2 Alfred C. Pfeiffer, Jr. (Bar No. 120965)  
Christopher S. Yates (Bar No. 161273)  
3 Adrian F. Davis (Bar No. 215827)  
505 Montgomery Street, Suite 2000  
4 San Francisco, California 94111-6538  
Telephone: (415) 391-0600  
5 Facsimile: (415) 395-8095  
Email: [Dan.Wall@lw.com](mailto:Dan.Wall@lw.com)  
6 Email: [Al.Pfeiffer@lw.com](mailto:Al.Pfeiffer@lw.com)  
Email: [Chris.Yates@lw.com](mailto:Chris.Yates@lw.com)  
7 Email: [Adrian.Davis@lw.com](mailto:Adrian.Davis@lw.com)

8 Attorneys for Defendant  
APPLE INC.

9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13  
14 IN RE APPLE & AT&TM ANTI-TRUST  
LITIGATION

CASE NO. C 07-05152 JW

**ADR CERTIFICATION BY DEFENDANT  
APPLE INC. AND COUNSEL**

1 Pursuant to Civil L.R. 16-8 (b) and ADR L.R. 3-5 (b), each of the undersigned  
2 certifies that he or she has:

3 (1) Read the handbook entitled "*Dispute Resolution Procedures in the*  
4 *Northern District of California*" on the Court's ADR Internet site [www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov);

5 (2) Discussed the available dispute resolution options provided by the Court  
6 and private entities; and

7 (3) Considered whether this case might benefit from any of the available  
8 dispute resolution options.

9  
10 Dated: January 7, 2008

Respectfully submitted,

APPLE INC.

11  
12  
13 By *Lisa Olle*  
14 Lisa Olle  
15 Litigation Counsel  
APPLE INC.

16 Dated: January 7, 2008

LATHAM & WATKINS LLP

17  
18  
19 By /s/ Adrian F. Davis  
20 Adrian F. Davis  
21 Attorneys for Defendant  
22 APPLE INC.

23 SF\639497